## KELLEY DRYE & WARREN LLP

ORIGINAL

A LIMITED LIABILITY PARTNERSHIP

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

(202) 955-9600

FACSIMILE (202) 955-9792 www.kelleydrye.com

LOS ANGELES, CA CHICAGO, IL

NEW YORK, NY

TYSONS CORNER, VA

STAMFORD, CT

PARSIPPANY, NJ

BRUSSELS, BELGIUM

HONG KONG

AFFILIATE OFFICES BANGKOK, THAILAND JAKARTA, INDONESIA MEIMPAL INDIA TOKYO, JAPAN

June 30, 2004

ROBERT J. AAMOTH

DIRECT LINE (202) 955-9676

E-MAIL: reamoth@kelleydrye.com

Ms. Marlene H. Dortch Secretary Federal Communications Commissions 445 12th Street, SW, Room TW -A 325 Washington, DC 20554

Re:

IB Docket Nos. 02-324, 96-261

Dear Ms. Dortch:

On behalf of Videsh Sanchar Nigam Limited ("VSNL"), I am submitting the original affidavit in support of the letter filed with the Commission by VSNL in the abovereferenced proceedings on June 28, 2004. Please substitute this original affidavit for the fax copy that was attached to the June 28, 2004 letter. Please contact the undersigned attorney should you have any questions.

Sincerely,

Robert J. Aamoth

FEDERAL COMMUNICATIONS COMMISSION

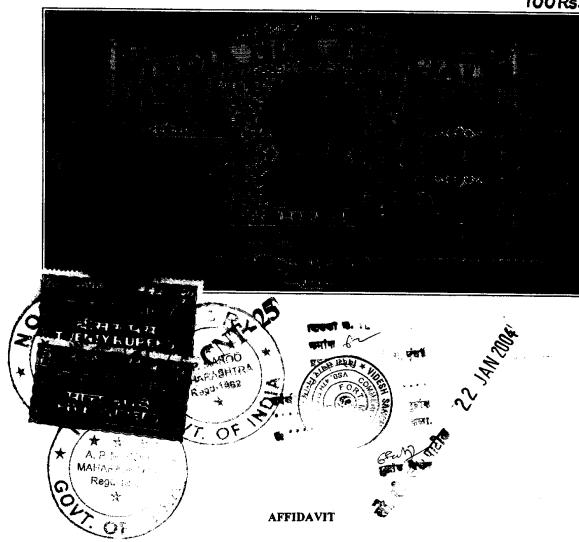
OFFICE OF THE SECRETARY

RJA:tab

James L. Ball (FCC) cc:

Alexandra Field (FCC)

No. of Copies rec'd List ABODE



My name is Arun Gupta, and I am Vice President and Head (Wholesale Business)

for Videsh Sanchar Nigam Limited ("VSNL"), a telecommunications carrier in India. I am submitting this Affidavit to the Federal Communications Commission in IB Docket Nos. 02-324 and 96-261 regarding whether the U.S.-India route is "benchmark compliant." In my position with VSNL, I have personal familiarity with and knowledge of the rates at which VSNL terminates international switched voice traffic originating in the United States and terminating in India. As such, I can affirm that VSNL terminates 100% of international switched voice minutes

DC01/AAMOR/221499.1

of \$.23/minute (US). In addition, I estimate that VSNL's share of the (lawful) terminating international switched voice market in India is in the range of 40-45% on the U.S.-India route.

Furthermore, given my position with VSNL, I have familiarity with the termination rates charged by other licensed corriers in India, and I can affirm that such rates also are below the benchmark.

by other licensed carriers in India, and I can affirm that such rates also are below the benchmark rate of \$.23/minute (US). I am not aware of any carrier in India (licensed or otherwise) that terminates international switched traffic on the U.S.-India route at a rate that is equal to or higher than the benchmark rate of \$.23/minute (US).

Executed this 28th day of June, 2004.

By:

Arun Gupta

Vice President and Head (Wholesale

Business)

Videsh Sanchar Nigam Limited

M. S. TRIPATHI

ADVOCATE RIGH COURT Lawyer's Cramber, Braskar Bldg 2nd Floor, A. K. Marg,

1%

A. P. MAROO MAHARASHTIYA Regd-1962 NOTARY

MAHARASHTRA (GOVT. OF INDIA) TEL. 28771111

DC01/AAMOR/221499.1